



## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0014; FRL-9390-4]

### Product Cancellation Order for Certain Pesticide Registrations

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's order for the cancellations, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1a and 1b of Unit II. pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a November 28, 2012 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 2 of Unit II. to voluntarily cancel these product registrations. In the November 28, 2013 notice, EPA indicated that it would issue an order implementing the cancellations, unless the Agency received substantive comments within the 180-day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency received one comment on the notice but it did not merit its further review of the request. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations. This order includes the last resmethrin product registrations in the United States. Any distribution, sale, or use of the products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

**DATES:** The cancellations are effective [*insert date of publication in the Federal Register*].

**FOR FURTHER INFORMATION CONTACT:** John W. Pates, Jr., Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection

Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 308-8195; email address: *pates.john@epa.gov*.

## **SUPPLEMENTARY INFORMATION:**

### **I. General Information**

#### *A. Does this Action Apply to Me?*

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

#### *B. How Can I Get Copies of this Document and Other Related Information?*

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2010-0014, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

### **II. What Action is the Agency Taking?**

This notice announces the cancellation, as requested by registrants, of 22 products, including the last resmethrin product registrations, registered under FIFRA

section 3. These registrations are listed in sequence by registration number in Tables 1a and 1b of this unit.

This notice also corrects a typographical error in the **Federal Register** issue of November 28, 2012 (77 FR 70998) (FRL-9370-3) regarding two EPA registration numbers and is corrected as follows:

EPA registration numbers 062910-00032 and 062910-00035 are corrected to read 062190-00032 and 062190-00035, respectively. These corrected registration numbers are included below in Table 1a.

**Table 1a -- Product Cancellations**

<b>EPA Registration Number</b>	<b>Product Name</b>	<b>Chemical Name</b>
000264-00977	Tops-MZ-Gaucha Potato Seed-Piece Treatment	Mancozeb Thiophanate-methyl Imidacloprid
000264-00978	Gaucha-MZ Potato Seed-Piece Treatment	Mancozeb Imidacloprid
000264-00996	Raxil MD-W Seed Treatment	Metalaxyl Tebuconazole Imidacloprid
005383-00011	Troysan 174	2-((Hydroxymethyl) amino)ethanol
010466-00028	Ultrafresh DM-50	Tributyltin maleate
040849-00072	Enforcer P002-082797-RMP	S-Methoprene/Permethrin
042177-00009	Olympic Algaecide 20	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
046043-00031	Suncoast's Pool Algaecide 20	Poly(oxy-1,2-ethanediyl (dimethylimino)-1,2-ethanediyl (dimethylimino)-1,2-ethanediyl dichloride)
062190-00032	Arch CMIT/MIT	5-Chloro-2-methyl-3(2H)-isothiazolone 2-Methyl-3(2H)-isothiazolone
062190-00035	Arch CMIT/MIT 14 MUP	2-Methyl-3(2H)-isothiazolone 5-Chloro-2-methyl-3(2H)-

		isothiazolone
074601-00001	Chlorothalonil Technical Fungicide	Chlorothalonil
075449-00003	Sodium Bichromate Solution 69%	Dichromic acid, (H <sub>2</sub> Cr <sub>2</sub> O <sub>7</sub> ), disodium salt, dihydrate
AZ-030006	Dual Magnum Herbicide	S-Metolachlor
AZ-070007	Gramoxone Inteon	Paraquat dichloride
AZ-090001	Ethrel Brand Ethephon Plant Regulator	Ethephon
CO090004	Actara Insecticide	Thiamethoxam
CO120001	Gramoxone SL 2.0	Paraquat dichloride
LA-110006	Milestone VM	Triisopropanolamine salt of aminopyralid
OR-070032	DuPont Direx 4L Herbicide	Diuron

**Table 1b -- Resmethrin Product Cancellations**

<b>Registration No.</b>	<b>Product Name</b>	<b>Chemical Name</b>
000432-00667	Scourge Insecticide W/ SBP-1382/Piperonyl Butoxide 18%+54% MF Form II	Piperonyl butoxide/resmethrin
000432-00716	Scourge Insecticide W/ SBP-1382/Piperonyl Butoxide 4%+12% MF FII	Piperonyl butoxide/resmethrin
073049-00086	SBP-1382 Technical with Antioxidant	Resmethrin

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1a and 1b of this unit, in sequence by EPA company number.

This number corresponds to the first part of the EPA registration numbers of the products listed in Table 1a and 1b of this unit.

**Table 2 – Registrants of Cancelled Products**

<b>EPA Company Number</b>	<b>Company Name and Address</b>
264	Bayer CropScience, LP,

	2 T.W. Alexander Dr., P.O. Box 12014, Research Triangle Park, NC 27709
432	Bayer Environmental Science, 2 T.W. Alexander Dr., P.O. Box 12014, Research Triangle Park, NC 27709
5383	Troy Chemical Corp., 8 Vreeland Rd., P.O. Box 955, Florham Park, NJ 07932-4200
10466	Thomas Research Associates, Shenstone Estates, 17804 Braemar Pl., Leesburg, VA 20176-7046
40849	ZEP Commercial Sales & Services, 4196 Merchant Plaza, #344, Lake Ridge, VA 22192
42177	Alliance Trading, Inc., 1150 18 <sup>th</sup> St., NW., Suite 1000, Washington, DC 20036
46043	Suncoast Chemicals Company, 14480 62 <sup>nd</sup> St., N., Clearwater, FL 33760
62190	Arch Wood Protection, Inc., 5660 New Northside Dr., Suite 1100, Atlanta, GA 30328
73049	Valent Biosciences Corporation, 870 Technology Way, Libertyville, Ill 60048-6316
74601	Oxon Italia S.P.A., Agent: Lewis & Harrison, LLC, 122 C St., NW., Suite 740, Washington, DC 20001
75449	Elementis Chromium, LP, 5408 Holly Shelter Rd., Castle Hayne, NC 28429
AZ030006 AZ070007 CO090004 CO120001	Syngenta Crop Protection, LLC, 410 Swing Rd., P.O. Box 18300, Greensboro, NC 27419-8300
LA110006	DOW Agrosiences, LLC, 9330 Zionsville Rd., 308/2E, Indianapolis, IN 46268-1054
OR070032	E.I. Dupont de Nemours and Company,

	(S300/419), Manager, Registration & Regulatory Affairs, 1007 Market St., Wilmington, Delaware 19898-0001
AZ090001	Bayer Cropscience, LP, 2 T.W. Alexander Dr., P.O. Box 12014, Research Triangle Park, NC 27709

### III. Summary of Public Comments Received and Agency Response to Comments

The Agency received one comment, but the Agency does not believe that the comment submitted during the comment period merits further review or a denial of the request for voluntary cancellation.

### IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of the registrations identified in Table 1a and 1b of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1a and 1b of Unit II. are canceled. The effective date of the cancellations that are the subject of this notice is *[insert date of publication in the **Federal Register**]*. Any distribution, sale, or use of existing stocks of the products identified in Table 1a and 1b of Unit II. in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VI. will be a violation of FIFRA.

### V. What is the Agency's Authority for taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the EPA Administrator may approve such a request. The notice of receipt for this action was published for comment in the

**Federal Register** of November 28, 2012 (77 FR 70998) (FRL-9370-3). The comment period closed on May 28, 2013.

## **VI. Provisions for Disposition of Existing Stocks**

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. The existing stocks provisions for the products subject to this order are as follows.

### *A. For All Products Listed in Table 1a in Unit II*

The registrants may continue to sell and distribute existing stocks of products listed in Table 1a of Unit II. until *[insert date 1- year after publication in the **Federal Register]***, which is 1-year after the publication of the Cancellation Order in the **Federal Register**. Thereafter, the registrants are prohibited from selling or distributing products listed in Table 1a, except for export in accordance with FIFRA section 17, or proper disposal. Persons other than the registrants may sell, distribute, or use existing stocks of products listed in Table 1a of Unit II. until existing stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

### *B. For All Products Listed in Table 1b in Unit II*

After December 31, 2015, registrants will be prohibited from selling, or distributing, existing stocks of products, containing resmethrin labeled for all uses. After December 31, 2015, persons other than the registrants will be allowed to sell, distribute, or use existing stocks of products, containing resmethrin until supplies are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: June 18, 2013

Michael Goodis, Acting

*Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.*

[FR Doc. 2013-15320 Filed 06/25/2013 at 8:45 am; Publication Date: 06/26/2013]